

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 16, 2004

Division: Growth Management

Bulk Item: Yes X No       

Department: Planning

**AGENDA ITEM WORDING:** Approval for one Restrictive Covenant from Stephanie Coffey & Ron Hillpot to have one dwelling unit on contiguous lots described as Lots 5 & 6, Block 26, Cutthroat Harbor Estates, Cudjoe Key.

**ITEM BACKGROUND:** On May 12, 2004 the Planning Commission approved an allocation award for the applicants listed below provided the applicants' Restrictive Covenant is approved by the BOCC. Stephanie Coffey & Ron Hillpot submitted the Restrictive Covenant to Monroe County. The applicant is receiving one dwelling unit allocation award for the year ending July 13, 2004, have filed the document in accordance with Ordinance No. 47-1999.

**PREVIOUS RELEVANT BOARD ACTION:** On November 11, 1999, the BOCC adopted Ordinance No. 047-1999.

**CONTRACT/AGREEMENT CHANGES:** N/A.

**STAFF RECOMMENDATION:** Approval.

**TOTAL COST:** X

**BUDGETED:** Yes N/A No       

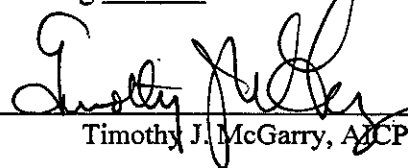
**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:** N/A

**REVENUE PRODUCING:** Yes N/A No        **AMOUNT PER MONTH** N/A **Year**       

**APPROVED BY:** County Atty X OMB/Purchasing N/A Risk Management N/A

**DIVISION DIRECTOR APPROVAL:**


  
Timothy J. McGarry, AICP

**DOCUMENTATION:** Included X To Follow        Not Required       

**DISPOSITION:**       

**AGENDA ITEM #** K9

## MEMORANDUM

**TO::** Danny Kolhage, Clerk of the Court  
**FROM:** Timothy J. McGarry, Growth Management Director   
**DATE:** June 16 2004  
**RE:** Clarification of Agenda Item

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### **Restrictive Covenant**

<b>Permit Number</b>	<b>Name on Agenda Item</b>	<b>Name on Restrictive Covenant</b>	<b>Legal Description</b>
03-1-3865	Stephanie Coffey & Ron Hillpot	Stephanie Coffey & Ron Hillpot	Lots 5 & 6, Block 26, Cutthroat Harbor Estates, Cudjoe Key

## LOT AGGREGATION RESTRICTIVE COVENANT

1. Whereas, Stephanie Coffey, a single woman and Ralph R. Hillpot, a single man, the undersigned are the sole owners of the following described real property located in Monroe County, Florida described as follows:

**Lot(s): 5 and 6 Block: 26, Subdivision: Cutthroat Harbor Estates**

**Key: Cudjoe PB: 4-165**

**Real Estate #(s): 00182290.000000, and 00182300.000000;  
and**

2. **WHEREAS**, this Lot Aggregation Restrictive Covenant that restricts the use of the legally described property in order to receive a building permit; and
3. **WHEREAS**, the above described parcel(s) was assigned additional points in the Permit Allocation System for building permit # 03-1-3865 for the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots.
4. **NOW, THEREFORE**, the undersigned agree as follows:
  - The above described parcel(s) shall have its density reduced from three dwelling units to one dwelling unit in consideration of a building permit to build a single-family residence; and
  - The restrictions herein shall be binding upon the representatives, heirs, assigns and successors in title of the undersigned; it being the intention if the undersigned by execution and recording of this document that this restriction shall run with the land and shall be forever binding upon the successors in title; and
  - This covenant is intended to benefit and run in favor of the County of Monroe; and

- In the event of any breach or violation of the covenant contained herein, the said County may enforce the covenant by injunction or such other legal method, as the County deems appropriate.

EXECUTED ON THIS 14 day of JAN, 2004

OWNER OR OWNERS

(Signature) Stephanie Coffe

WITNESSES:

Fred Rein  
(Signature)

FRED REIN  
(Print/Type Name)

David A. Tucker  
(Signature)

DAVID A. TUCKER  
(Print/Type Name)

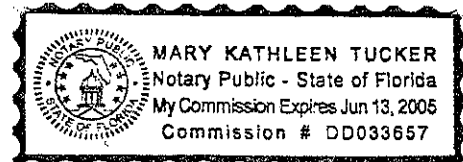
Ralph R. Hillpot  
(Signature) Ralph R. Hillpot

Sworn before me this 14 day of JAN, 2004 A.D.

MARY TUCKER  
Notary Public (Print Name)

Mary Tucker  
Notary Public (Signature)  
My Commission Expires

This instrument was prepared by:  
Stephanie Coffe  
P.O. Box 431859  
Big Pine Key, FL 33043



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY [Signature]  
ATTORNEY'S OFFICE  
DATE 6/1/04